

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-088

Judge:

Complainant:

ORDER

August 11, 2021

The Complainant alleged a superior court judge made an improper comment on a pending case and publicly solicited a bribe.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission member Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on August 11, 2021.

CONFIDENTIAL

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

21-088

COMPLAINT AGAINST A JUDGE

Name: _____ **Judge's Name:** _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

The judge presiding over my case issued a court order that he might dismiss the case or he might not dismiss the case depending on two conditions, 1) if I pleaded with the court an explanation of A.R.S. § 12-901 providing for administrative appeal of a decision from an office within a city, and 2) if I properly served the Appellee. This was a judicial statement made public on a pending case that was inconsistent with the impartial performance of the adjudicative duties of judicial office.

This court order was a public solicitation for a bribe to dismiss the case, as the judge cited cases in which the _____ not applying to cities was overlooked and the case was allowed to proceed to the _____ Court to review the decision of the lower court. The _____ court order made it very clear that like other cases that appealed the decision of an office within a city, this case could proceed all the way to the Court _____ if it were not dismissed for lack of persuasion from the plaintiff.

Soliciting a bribe to use the judge's discretion to dismiss the case is a felony.
13-2602. Bribery of a public servant or party officer; classification
A. A person commits bribery of a public servant or party officer if with corrupt intent:
2. While a public servant or party officer, such person solicits, accepts or agrees to accept any benefit upon an agreement or understanding that his vote, opinion, judgment, exercise of discretion or other action as a public servant or party officer may thereby be influenced.

In reponse to the _____ court order, I served the City of _____ as it was pointed out that service must be made on the _____ clerk. I had previously served the _____ with notice. In the court order dismissing the case, Judge _____ ignored the fact that I served the city clerk through _____ using that as further reasoning to dismiss the case.

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- Details
- Messages
- eService

Form Set # ⓘ

Keyword/Matter # ⓘ

Filing Type

Customer Name

Delivery Date & Time

Case # ⓘ

Status ⓘ

Location

Customer Email

Filing Date & Time

eServed Recipient(s): ⓘ

Recipient Name	Email	Role/Comments	Request Sent Date	Last Re-Sent Date	Status
<input type="checkbox"/>	Citv Clerk of				Pending History
<input type="checkbox"/>					Pending History

Re-Send eService Email

Add/Update eService Recipient(s): ⓘ

Recipient Name	Email	Role/Comments
<input checked="" type="checkbox"/>	Add New Recipient Manually	<input checked="" type="checkbox"/> Look Up Recipient From Address Book <input checked="" type="checkbox"/> View/Synchronize With Case eService List

Send eService Notifications